

Champagne, Donald

From: Champagne, Donald
Sent: Wednesday, August 18, 2010 8:46 PM
To: 'Ronald Prass'
Subject: USPTO Appl. 09714665
Attachments: Text-Allowance_18Aug2010.doc; FTD_website_10Jan1998.pdf; proposed xmr amdt_18Aug2010.doc

Ron,

I have examined this case and find there is a new basis by which I can allow it immediately. Attached is my proposed examiner's amendment of two claims (67 and 112). Actually, the changes are materially the same for each claim.

If this proposal is acceptable to applicant, please make these changes in all other pertinent claims and return the completed examiner's amendment to me as an MS Word document.

Also enclosed are the draft reasons for allowance and a copy of "FTD.com", the closest prior art.

The Rule 132 declaration has to be made of record. I believe I can do that as an attachment to an interview summary. Please advise if you want to make it of record yourself.

This has to be my final offer for the foreseeable future. It is also certainly my best offer, much broader in scope than I initially thought possible. Except for minor matters, I cannot interview this case until it comes up in turn and I do a non-final rejection. That is likely many months away.

Don

Donald L. Champagne, Primary Examiner
USPTO AU 3688

From: Ronald Prass [mailto:rprass@prassllp.com]
Sent: Thursday, August 12, 2010 9:44 AM
To: Champagne, Donald
Subject: 09714665: Proposed Declaration and claim
Importance: High

Hi Don:

Please see the attached proposed 132 Declaration and claim 67 amendment based on your suggestion and our follow-on discussion. I would like you to briefly review see if the Declaration includes the subject matter you requested during our recent interview. I don't want to add this to the record if you want more added in a particular area, etc. If you agree that it is fine, then we will file post haste and I will send you an advanced copy.

I also received the interview summary. Thank you. As we discussed, at a minimum, none of the references disclose presenting advertiser information being based on the determined particular geographic area for relevant information and containing a link to connect the communication device to the advertiser's information site relating to the particular subject matter of the information request received from an information site. Quite frankly, I know I am the Applicant's representative and I don't want to have to defend an invalid patent on the stand in Court, but the more I look at the art and the evidence from the late 1990's, the more I am convinced that the Applicant was the first to conceive and reduce to practice, the claimed invention as attached. Anyway, "between you, me and the fencepost," that's my honest two cents.

Thanks again, Don, for looking at this out of turn and moving this case along to

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allowance. I look forward to hearing your comments.

Best,
Ron

RONALD E. PRASS, JR.

PRASS LLP

2661 RIVA ROAD,

BLDG. 1000, SUITE 1044

ANNAPOLIS, MD 21401

PHONE (OFFICE): (443) 569-0770

PHONE (DIRECT): (443) 569-0772

PHONE (MOBILE): (410) 991-4568

FAX: (443) 458-0958

WWW.PRASSLLP.COM

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